

PCT/PTO

TRANSMITTAL LETTER TO THE UNITED
STATES DESIGNATED/ELECTED OFFICE
(DO/EO/US) CONCERNING A FILING
UNDER 35 U.S.C. 371

Date of filing:
15 July 2005

Attorney Docket No.
1282-P02956US01

U.S. Application No. (If Known)
10/524,313

Express Mail Label No.:
EV374764295US

Int'l Application No.
PCT/US2003/025166

Int'l Filing Date
11 August 2003

Priority Date Claimed
09 August 2002

TITLE OF INVENTION

Compounds, Compositions and Methods for Treating or Preventing Pneumovirus Infection and Associated Diseases

Applicant(s) for DO/EO/US

RYS, David J.; NITZ, Theodore J.; GABOURY, Janet A.; BURNS, Christopher J.; PEVEAR, Daniel C.; LESSEN, Thomas A.; and HERBERTZ, Torsten

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.
14. ☐ A SECOND or SUBSEQUENT preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:
 - Certificate of Mailing by Express Mail Under 37 C.F.R. §1.10
 - Copy of Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)
 - Check in the amount of \$130

U.S. Application No. 10/524,313		International Application No. PCT/US2003/025166		Pocket No. 282-P02956US01	
The following fees are submitted:					
21. <input type="checkbox"/> BASIC NATIONAL FEE				\$300	\$0
22. <input type="checkbox"/> Examination Fee					
If international preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)				\$100	\$0
All other situations				\$200	
23. <input type="checkbox"/> Search Fee					
Search fee (37 CFR 1.445(a)(2) has been paid on the international application to the USPTO as a International Searching Authority.				\$100	
International Search Report prepared by International Search Authority other than USPTO, but provided to Office by Applicant(s)				\$400	
All other situations				\$500	
Total of 21, 22, 23					\$0
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program filed in an electronic medium). Total Sheets Extra Sheets No. of each add'l 50 (round up to whole number) 200 - 100 = 100 / 50 = 2 x \$250					\$0
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date					\$130
Claims	Number Filed	Number Extra	Rate		
Total Claims	20 -20	= 20	50		\$0
Independent Claims	2 -3	= 0	200		\$0
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360		
TOTAL OF ABOVE CALCULATIONS					\$130
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2					
SUBTOTAL =					\$130
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f))					\$0
TOTAL NATIONAL FEE =					\$130
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property					\$0
TOTAL FEES ENCLOSED =					\$130

- a. ☒ A check in the amount of \$130 to cover the above fees is enclosed
- b. ☐ Please surcharge Deposit Account No. 04-1406 in the amount of \$ _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 04-1406. A duplicate copy of this sheet is enclosed.

SEND ALL CORRESPONDENCE TO: **CUSTOMER NUMBER 000190** to be used in preference to the individual listed below.

Patrick J. Hagan
Patrick J. Hagan
Registration No. 27,643

07/20/2005 ATRAN1 00000091 10524313

01 FC:1617

130.00 OP

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10/524313

CERTIFICATE OF MAILING
BY EXPRESS MAIL UNDER 37 C.F.R. \$1.10

NUMBER OF EXPRESS MAIL MAILING LABEL: EV374764295US
DATE OF DEPOSIT WITH POSTAL SERVICE: July 15, 2005

I hereby certify that this paper or fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. \$1.10 on the date indicated above, and is addressed to the COMMISSIONER OF PATENTS, P.O. Box 1450, Alexandria, VA 22313-1450.

Caren Burgoon

Typed Name of Person Mailing Paper or Fee



Signature of Person Mailing Paper or Fee

Re: New Patent Application
(National Phase of International
Patent Application No. PCT/US2003/025166
Entitled: Compounds, Compositions and Methods
for Treating or Preventing Pneumovirus Infection
and Associated Diseases
International Filing Date: 11 August 2003
Earliest Claimed Priority Date: 09 August 2002
Our File No. 1282-P02956US01

Enclosures:

- Transmittal Letter to the DO/EO/US Concerning a Filing Under 35 U.S.C. §371 (in duplicate)
- Copy of Notification of Missing Requirements under 35 U.S.C. in the United States Designated/Elected Office (DO/EO/US)
- Declaration, Power of Attorney and Power to Inspect
- Check in the amount of \$130.00



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.

10/524,313

FIRST NAMED APPLICANT

David J Rys

ATTY. DOCKET NO.

1282-P02956US01

INTERNATIONAL APPLICATION NO.

PCT/US03/25166

IA. FILING DATE

08/11/2003

PRIORITY DATE

000110

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PHILADELPHIA, PA 19103-2307

CONFIRMATION NO. 6431

371 FORMALITIES LETTER



OC000000016475824

Date Mailed: 07/11/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 02/07/2005
- Copy of the International Search Report filed on 02/07/2005
- Copy of IPE Report filed on 02/07/2005
- Preliminary Amendments filed on 02/07/2005
- U.S. Basic National Fees filed on 02/07/2005
- Priority Documents filed on 02/07/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PAULETTE R KIDWELL

Telephone: (703) 308-9140 EXT 216

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/524,313	PCT/US03/25166	1282-P02956US01

FORM PCT/DO/EO/905 (371 Formalities Notice)